

REMARKS

Reconsideration of this application is respectfully requested.

Claims 4-10 are pending in this application. The Examiner maintain the rejection of Claims 4-10 under 35 U.S.C. §103(a) as being unpatentable over the Admitted Prior Art (U.S. Patent Publication 2004/0092294) (hereinafter, *APA*) in view of *Moran et al.* (U.S. Patent Publication 2002/0073142) (hereinafter, *Moran*.)

As to Claim 4, the Examiner maintained the allegation that the combination of the *APA* and *Moran* teaches each and every limitation of Claim 4. To support this allegation, the Examiner correctly conceded that the *APA* does not teach the recitation of “pressing a one-touch call button to the counterpart mobile terminal,” as recited in Claim 4. Nevertheless, the Examiner uses *Moran* to cure this deficiency. However, after reviewing the *APA* in light of the *Moran* reference, Applicant respectfully disagrees.

The *APA* essentially discloses that a conventional method of transmitting text messages to a called mobile terminal after the *calling mobile terminal* fails to establish a call connection with the called mobile terminal typically requires the user of the calling mobile terminal to manually press, many times over, a “*plurality of number keys*” corresponding to a phone number of the called mobile terminal. However, the present invention is directed to and distinctly claims a method for transmitting these generated messages through the use of a “*one-touch*” call button technique that reduces the pressing of number keys used by a user when he/she is attempting to transmit a message.

In contrast, in *Moran*, a messaging system is disclosed whereby the system is arranged to allow a user to send a pre-specified message to a destination party mailbox through a conventional (i.e., non-mobile) telephone handset.

Regarding the §103(a) rejection of independent Claim 4, Claim 4 recites a method for performing a one-touch call operation using a mobile terminal which includes (i) attempting to establish a call connection with a counterpart mobile terminal using the mobile terminal, and (ii) if the call connection between the mobile terminal and the counterpart mobile terminal fails, pressing a one-touch call button of the mobile terminal that transmits, *using information entered during the attempt to establish the call connection*, a predetermined message corresponding to the one-touch call button to the counterpart mobile terminal.

Nothing in *Moran*, as a whole or in part, fairly teaches or even suggests the “pressing” recitation as reiterated above, rather, *Moran* merely teaches connecting to a *messaging server*, and then, when pressing a specific key during such a connection, transmitting a message to a caller. In other words, *Moran* fails to teach or even fairly suggest that *by using inputted information when attempting to establish a call connection state*, a message is transmitted from a corresponding one-touch button, as presently recited in Claim 4 of the application.

Accordingly, as the *APA* and *Moran* do not teach each and every limitation of Claim 4, it is respectfully submitted that Claim 4 is now believed to be allowable over the combination of the *APA* and *Moran*.

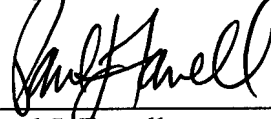
As to independent Claim 8, the Examiner also maintained the rejection of this claim under §103(a). However, Applicant respectfully submits that Claim 8 contains similar recitations as those set forth in Claim 4. Accordingly, it is respectfully submitted that independent Claim 8 is likewise patentably distinct for at least the same reasons as set forth above with respect to rejection of Claim 4.

As to the rejection of Claims 2-7 and 9-10, the Examiner also maintained their rejections under 35 U.S.C. §103(a), respectively. However, it is acknowledged that Claims 2-7 and 9-10 are

all dependent claims; accordingly, it is respectfully submitted that if the above arguments place the independent claims into condition for allowance, then these dependent claims are also believed to be in condition for allowance.

Accordingly, it is respectfully submitted that all of the claims pending in the Application, namely, Claims 4-10, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

Paul J. Farrell
Registration No. 33,494
Attorney for Applicant(s)

THE FARRELL LAW FIRM, P.C.
333 Earle Ovington Blvd., Ste. 701
Uniondale, New York 11553
(516) 228-3565